

**EXHIBIT 38**

ATTORNEY-DETAINEE MATERIALS  
TRANSCRIPTION #41 - LETTER FROM MR. AL-MARRI DATED JUNE 5, 2005

28-4-26

5-6-05

1-12-41

In The Name of Allah  
Most Merciful Most Gracious

Dear Andy, Larry, Cheryl, Mark, and Jon

Peace be upon who follow the guidance.

May the Lord show me & you the wright (*right*) path as wright (*right*) & keep us on it, and show us the wrong path as wrong & keep us away from it. Ameen.

To start with, I would like to thank you Andy & Cheryl for the pleasent (*pleasant*) visit which I have enjoied (*enjoyed*) very much, even though it was kind of short. And it was nice to meet Cheryl for the first time even though she know off (*of*) me for more than 6 months.

Second, as you requested, Andy, I am writing about the following subjects:

- A. Disrespecting the Quran - the word of God - delepratelly (?). Even though I will tell the O.I.C. of the shift & he say I will take care of it, but it will be disrepected (*disrespected*) again.

Regardless of my repeated request to all of the guards, not to put anything over the Quran b/c that is considered as disrespect for the Quran since it is the word of God, they will put over it the blanket or some papers or my glasses or under the pillow & the most disrespect is to put it on the cell floor directly which happened one after I came from shower, so, I refused to give them my hands or legs to take the irons off until I see somebody from the chain of command b/c all of the guard cover for each other. It was about 4:00 p.m. They refused to come & see how the Quran is disrespected so, I went to sleep that night with the handcuffs & leg iron on. In the morning Chief Beffay - the SHU dep. head - came; then I said, now I will give you my hands & legs to take the irons off.

- B. My religious needs:

1. There are quistions (*questions*) concerning praying, fasting, washing for prayers & other religious quistions (*questions*) need to be answered by a Muslim scolor (*scholar*) (shaik). They have tol dme here to write these quistions (*questions*) & they will provide me with the answers. I refused to do that b/c I can not worship the Lord wright (*right*) by knowing the answer to those quistions (*questions*) by disobeying him by accepting the word of an infidel b/c I am not permitted (*permitted*) to take the word of an infidel when it comes to worshipping the Lord.

2. Certain hair of the body need to be removed for religious requirment (*requirement*). They are asking (*asking*) me to sign a waiver of liability for a product is not meant to be used for that area of body. They are telling me, in order for you to practice your religion, you have to use a product that will harm you so you have to sign a waiver of liability to protect ourself.
3. They refuse to give me or allow me to receive religious books to learn my religion & be more educated & will (*well*) informed of it type of worships & what prayer to say and when or where for Islam is very comprehensive (*comprehensive*) religion where there is some thing to say or to do with every event of the day. For example with which foot you wear your shoes first & what to say then, and what to say when you hear the thunder & what is preferable to do when it is raining and most importantly how to worship the Lord alone.

The name of the books that I have requested are:

1. Saheeh - Bukhar: Which contains what our prophet - the blessing of Allah & prayers be upon him - said, did or approve at saying or doing.
  2. Saheeh Muslim - the same subject as above w/some differences in the quantity.
- \*The above two books are the most authentic books after Quran
3. Hesen Almuslim - a collection of verbal prayers of events during the day and life of the muslim.
  4. Tafseer Ibn Katheer - commentary on the Quran.
  5. Tafseer Al Jalalain - Same as above, but from different angle.
  6. Tafseer Alahlam for ibn seereen - a book which explain dreams which our prophet - the blessing of Allah & prayers be upon him - said it 1/40 of prophecy.
  7. Hadi Alarwah Ela belad Alafrah - a book explain & describe heaven in very emazing (*amazing*) way according to what is in the Quran & Hadith (what the prophet - the blessing of Allah & prayers be upon him) said, did or approve of).

It is important to note that thos (*those*) books are not limited or read by certain school or sect of islam, those are read by & known to all muslim.



4. They refuse to give me prayer rug (sajjadh) for security reason so, I will not use it threads to hang myself, however, they will provide me w/blanket which its threads are very strong.
5. They refused to give me a koofi, to cover my head when praying as recommended so I cover my head w/my shirt. On Friday, 26-04, they gave a memo saying that I am not allowed to cover my head w/any clothing items. They are giving a choice of either practice my religion or obey their rules.
6. They refused to give me olive oil so I can read certain verses of the Quran & prayers to try to treat myself at my medical condition as our prophet - the blessing of Allah & prayers be upon him - told us that certain verses & prayers have a healing power, and that is disputable among muslims.
7. They stop the water from the sink, & they will only provide me w/water to drink, but not to wash for prayers so, what they do, they give me 1/3 of 6 oz. cup to drink, but I use it to wash where usually I would need at least 5 - 6 cups not 1/3. (They used to do this, but not anymore), however I want it to be known.
8. They take the clock which is taped to my cell's door's window from outside. It is the only way to know the time for prayers, they tell me, we will tell you the time of prayers, but this has 2 problems. 1) They do not tell me every single one, and missing one is too many, 2) As I stated above, that the word of infidel is exceptable when it come to practicing worships like when to pray, when to start fasting, when to stop fasting & others.
9. I am not allowed to take the blanket which I use as a prayer rug out when I go for recreation at 1:00 p.m. where my noon prayer is at about 1:15 p.m. so, I pray either on my shirt which is full of sweat (b/c I usually work out inside to do dips, sit ups & others) before I go out or pray on the floor which I am sure is not clean.
10. They refused to give me Meswak (a root of tree) which is very highly recommended to use to clean you mouth, teeth befor (*before*) prayer & in most of the day. It is like a toothbrush.
11. They refused to give me colone (*cologne*) prefume (*perfume*) which does not include alcohol in it, b/c it is also recommended to be clean & smell good befor (*before*) you pray.

\*The muslim sheik brought Meswak & cologne with him but they refused.

12. They refused to give me pen to make notes on the Quran & to prepare the religious quistions. (*questions*).
13. They used to give me the translation of the meaning of the Quran, it has the Arabic

writing & its translation in English. In that Quran I thought I one verse there was misspelled (*misprint*) so I made what I thought that time was the correct word in Arabic. You see Arabic is the word of God, but English is only a translation of the meaning of the word of God. I have been told by the Sheikh who visited me once that I was wrong & I confirm that w/the Quran which I have now which is only Arabic. I have asked them repeatedly to give me that Quran only a few minutes to correct my mistake, but they refused.

C. The daily problems

1. There is no complaint system, it was stopped (*stopped*) on Jan 30<sup>th</sup> & reinstated on May 3<sup>rd</sup> of 2005.
2. About 10 meter away from my cell is control room & a sliding door. The control room which open by electricity which makes big tic & then it has to be slammed (*slammed*) to make sure it is close. This door open between 30 - 40 times a day. The sliding door also open by electricity and it very noisy, that door open during the day about 10 - 15 times & during the almost every hour once which of course wake me up.
3. The industrial fan used to be one meter by my door, now they moved it about 10 meter away, however, it's echo is even worse & the humming that it motor make even worse b/c that fan run 24/7. I tell you this it is very good quality, it has been running for more than 8 months, no problems.
4. I am the subject of training their new officers & what is worse is that if I have a problem, I have to complain through him. Very good system, just like their faces.
5. Some officer put the chain on my hands & legs very tight that its mark will be on my hands & legs for days.
6. They refused to put a mirror inside my cell, they have now a plastic mirror, safety mirror, but even that they do not give it to me. Also, when shaving my mustach (*moustache*) & the hair on my cheeks, there is no mirror, I have to take the barber word it is as I asked for. Yeah.
7. They give me the good cold, however lately they reheat it before they give it me most of the time. 3 months ago.
8. Everything I ask for has to go to the C.O. and that make the respons (*response*) to my quistion (*question*) or request takes weeks if not months, that if I get a response. For example to fix the light bulbs which went dead, up to now it is not fixed even though I ask for it about 1 ½ month ago.



9. When I sleep during the day, the guards open the control room door many time & slam it 4 or 5 times also the same with the sliding door. Or they will come up stair to use the bathroom in the next cell & flush the toilet more than once or bang on the wall of the next cell to weak (*wake*) me up or they will come & shake me cell's door or even bang it w/their hands &/or feet.
10. They give me a soccer ball without air & basketball w/air they know I don't play basketball, but I play soccer & most of the time they do not have it outside.
11. No contact w/any human beside my captors.
12. There is no writen (*written*) rules, I deal w/4 shifts & each shift almost has its own rules. They used to give me privileges list, but it has been suspended since Jan 30<sup>th</sup>.

D. The sexual harassment:

There used to be a small door (not the shower's door) inside the shower, I used to close it for privacy (*privacy*), however, Meadows asks for it to be removed. Then that day he would stand by the shower's door making a sign w/his thumb & the next finger to it to tell me my \_\_\_\_ is small & making face expression & taunting & making sexual sound. Even up to day, they occassionally (*occasionally*) some of them will come close to the door where he can see me naked or even video tap (*tape*) me by the handheld camera naked.

E. Living in unsanitary (*unsanitary*) envirmment (*environment*)

1. Now I have two suside (*suicide*) blanket 56 X 40 inches, one of them I use to pray on instead of praying on the floor & the same blanket I use to cover myself at night w/all the dust on it, b/c my cell is only cleaned every Friday, but most of the time is 2 or 3 weeks. The second I use to eat on b/c there is no table to eat on, the same blanket I use to workout on & finally I use at night to sleep on it w/all the sweat & stains of food & smell.
2. The toilet will not be flushed - when they cut the water - for hours, it reach to 14 hours at a time, for this reason I use the food tray (*tray*) or the rapper (*wrapper*) of the MRE to deficate (*defecate*) in then I slide it under the door so I do not have to keep up w/the smell. This is when I am in non-compliant but I am in compliant, I have to put up w/it. You see sometimes being in compliant is not good.
3. For a medical reason I can not use the toilet paper to clean myself, it will make me medical condition worse down there. So, I use to clean myself w/water & my hand. They will not give me a soap to keep inside my cell to clean myself after using the bathroom like back home. They say push the buzzer & we will give it you, however, it takes them most of the time hours before they come by that time I have already touched most of my things inside my cell.

4. They give me unwashed clothes (I know b/c I mark them w/the toothpast (*toothpaste*) which should be removed by washing) or they will give me the same clothes I took off.
5. Using my short or T-shirt to clean myself when there is no water & they do not come when I push the buzzer.

F. The unhumane (*inhumane*) punishments

1. Taking all of my clothes except my boxer short & going to sleep that night with only one blanket under me & the other over me.
2. Taking the toilet paper.
3. Taking the mattress which was issued to me based on the doctor's recommendation due to my medical condition.
4. Putting me on the MRE for months & weeks even if I am in compliant.
5. Cutting the water from the sink & toilet.
6. Putting the industrial fan on high when I am in non-compliant & on the second speed when I am in compliant.
7. Taking my socks & shoes, where I have to lay down on my bed for weeks b/c the floor is very cold.
8. Having the a/c on very cold temp. for me & not giving me extra clothes to keep warm, they tell me go under the blanket which I did almost all day.
9. They put me in a cell with nothing but the sink & toilet from 5:00 a.m. to 10:00 p.m. for almost 8 days. So, I would eat & sleep on the dusty & dirty floor. And that got me a very bad rash on my neck, chest, stomach (*stomach*) & my lower back for almost 2 weeks.
10. I used to fast every other day, they will not give me a meal or food befor (*before*) morning prayer which is the time I have to stop earing & they will not allow me to keep the tray (*tray*) until sunset which is the time I can eat so, I would go for 36 hours no foods. And on the days I am not fasting, they would keep the food tray (*tray*) hours after sunset. (36 hours is from 5:00 p.m. when dinner is served in the days I am eating to 5:00 a.m. when breakfast is served the day after when I am eating again = 24 + 12).
11. If it is raining or too hot to go out of rec. they ask me if I want inside rec. w/restraints on my hands & my legs. What can a person do w/restraints on as a recreation.

12. Eating on the floor b/c there is no table to eat on.
13. Crushing my medicine even if there is a liquid form of it such as neruntine.
14. Watching me 24/7 even when I go to the bathroom where they would see my private area which is prohibited in islam. This could be solved by putting some kind of bariar (*barrier*) by the toilet where whenever I use the toilet, they will see the upper part of my body, but not my private area.
15. The cell's window is 32 X 8 inches & covered with a cover. Also the my cell's door window is cover too so I can not see more than 12 feet at any time.
16. They refused a telephon (*telephone*) call to my family especially the letters takes 4 - 6 months.

G. My health care needs

1. An x-ray for the nerves as recommended by doctor head at the begining (*beginning*), but they refused due to security reason.
2. They refused to be seen by a nerve specialist.
3. The doctor recommended a chair w/good cushion, I get a metal coffee table.
4. The doctor said I get a good mattress I get air mattress, if I press it with 2 finger they will meet.
5. The eyes doctor told me that my condition is due to small room, not being able to see too far.
6. They provide me w/very cheep (*cheap*) plastic glasses, if I clean them w/my cotton shirt will scratch or w/the toilet paper.
7. My wrigh (*right*) hand when it goes to sleep, then the blood come back I do not feel the tingling on my thumb & the finger next to it, I was told by medical that the nerves are damaged due to one of the guards closed the food slot on my hand very hard & for about 15- 20 minutes.

Cheryl, may the Lord help you, but you know that it is Andy's fault, he asked me to write everything & in details.

Third, I am dead tired from writing this book so good night. I am going to sleep.



Sincerely yours,

Ali

P.S. I will write last week events tomorrow (*tomorrow*) if I am alive. (It is some thing Arabs & Muslim said, to remind us that dead is at any time.)

2-12

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B- My religious needs :-

- 1- There are questions concerning praying, fasting, washing for prayers & other religious questions need to be answered by a muslim scholar (shark). They have told me here to write these questions & they will provide me with the answers. I refused to do that b/c I can not worship the Lord by wright by knowing the answer to these questions by disobeying him by accepting the word of an infidel. b/c I am not permitted to take the word of an infidel when it comes to worshipping the Lord.
- 2- Certain hair of the body need to be removed for religious requirement. They are asking me to sign a waiver of ~~responsibility~~ Liability for a product is not meant to be used for that area of body. They are telling me, in order for you to practice your religion, you have to ~~use~~ use a product that will harm you so, you have to sign a waiver of liability to ~~protect~~ protect our self.
- 3- They refuse to give me or allow me to receive religious books to learn my religion & be more educated & will inform of its type of worships & what prayer to say and when or where. For Islam is very comprehensive religion where there is something to say or to do with every event of the day, for example with which foot you wear your shoes first & what what to say then, and what to say when you hear the thunder & what is preferable to do when it is raining, and most importantly how to worship ~~the~~ the Lord alone.

3-12

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The Name of the books that I have requested are:-

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- 1- Bukhari which contains what our prophet - the blessing of Allah & prayers be upon him - Said, did or approve at saying or doing.
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- 4- They refuse to give me prayer rug (sajadah) for Security reason so, I will not use it threads to hang myself, however, they will ~~the~~ provide me w/ blanket which it's threads are very strong.



4-12

- 5- They refused to give me a Koofti, to Cover my head when praying as recommended, ~~so~~ So, I cover my head w/ my shirt. On Friday, 26-04, they gave a memo saying that I am not allowed to Cover my head w/ any clothing items. They are giving a choice of either practice my religion or obey their rules.
- 6- They refused to give me olive oil so, I can read certain verses of the Quran & prayers to try to treat myself at my medical condition as our prophet - the blessing of Allah & prayers be upon him - told us that certain verses & prayers have a healing power, and that is disputable among muslims.
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5-12-27

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6/12

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C- The daily problems

- 1- There is no Complaint System, it was stoped on Jan 30th & reinstated on May 3rd. of 2005
- 2- About 10 meter away from my cell is Control room & a sliding door. The Control room which open by electricity which makes big tic & then it has to be slammed to make sure it is close. This door open between 30-40 times a day. The sliding door also open by electricity and it very noisy, that door open during the day about 10-15 times & during the almost every hour once. which at course wake me up.
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7/12

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- 10- They give me a soccer ball without air & basket ball w/ air they know I don't play basket ball, but I play soccer. & ~~also~~ most of the time they do not have it outside.
- 11- No Contact w/ any human beside my Captives.

- 12 - There is no written rules, I deal w/ 4 shifts & each shift almost has its own rules. They used to give me privileges List, but it has been suspended since Jan 30th.

#### D - The Sexual harassment:

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#### E - Living in unsanitary environment:

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- 2 - The toilet will not be flushed - when they cut the water for hours, it reach to 14 hours at a time, for this reason I use the food tray or the rapper of the MRE to defecate in

then I slide under the door. I do not have to keep up w/ the smell. This is when I am in non-compliant but I am in compliant, I have to put up w/ it. You see sometimes being in compliant is not good.

- 3- For a medical reason I can not use the toilet paper to clean my self, it will make me medical condition worse down there. So, I use to clean my self w/ water & my hand. They will not give me a soap to keep inside my cell to clean myself after using the bathroom like back home. They say push the puzzer & we will give it to you, however, it takes them most of the time hours before they come, by that time I have already touched most of my things inside my cell.
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## F- The unhumane punishments.

- 1- Taking all of my clothes except my boxer short & going to sleep that night with only one blanket under me & the other over me
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10/12

- 5- Cutting the water from the sink & toilet
- 6- putting the industrial fan on high when I am in noncompliant & on the second speed when I am in compliant.
- 7- Taking my socks & shoes, where I have to lay down on my bed for weeks b/c the floor is very cold.
- 8- having the A/C on very cold temp. for me & not giving me extra clothes to keep warm, they tell me go under the blanket which I did almost all day.
- 9- They put me in a cell with nothing but the sink & toilet from 5:00 A.M. to 10:00 P.M. for almost 8 days, so, I would eat & sleep on the dusty & dirty floor. And that got me a very bad rash on my neck, chest, stomach & my lower back for almost 2 weeks.
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11/12

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- 14- Watching me 24/7 even when I go to the bathroom where they would see my private area which is prohibited in Islam. This could be solved by putting some ~~kind~~ kind of partition by the toilet where ~~when~~ whenever I use the toilet, they will see the upper part of my body, but not my private area.
- 15- The Cell's window is 32 x 8 inches & covered with a cover also the my cell's door window is cover too so, I can not see more than 12 feet at any time.
- 16- They refused a telephone call to my family especially the letters takes 4-6 months.

## G- my Health Care Needs

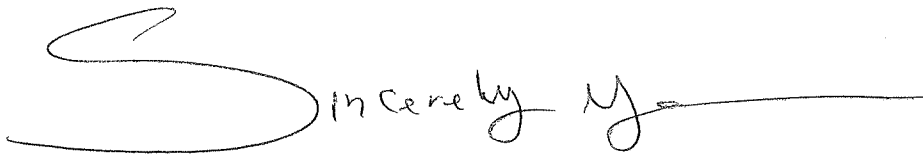
- 1- An x-ray for the nerves as recommended by doctor head at the beginning, but they refused due to security reason.
- 2- They refused to be seen by a nerve specialist.
- 3- The doctor recommended a chair w/ good cushion, I get a metal coffee table.
- 4- The doctor said I get a good mattress I get air mattress, if I press it with 2 finger they will <sup>meet</sup> ~~not~~
- 5- The eyes doctor told me that my condition is due to small room, not being able to see too far.
- 6- They provide me w/ very cheap plastic glasses, if I clean them w/ my cotton shirt will scratch or w/ the toilet paper.

12/12

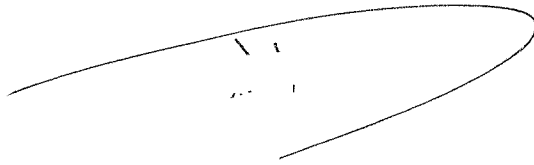
7- My wright hand when it goes to sleep, then the blood come back I do not feel the tingling on my thumb & the finger next to it, it was told ~~that~~ by medical that the nerves are damaged due to one of the guards closed the food slot on my hand very hard & for about 15-20 minutes.

Cheryl, may the Lord help you, but you know that it is Andy's fault, he asked me to write everything & in details.

Third, I am dead tired from writing this book.  
So, good night, I am going to sleep.

Sincerely, 

Ali



P.S

I will write last week events tomorrow if I am alive.

it is something Arabs & muslim said, to remind us that death is at any time.

**REDACTED**